

FILED

NOV - 9 2005

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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Attorneys for Defendants
KAISER FOUNDATION HOSPITALS
KAISER FOUNDATION HEALTH PLAN, INC.
TOM LONG and MARIO CASTENADA

IN THE UNITED DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

THOMAS C. KELLY,
Plaintiff,

v.

KAISER FOUNDATION HOSPITALS, INC.;
KAISER FOUNDATION HEALTH PLAN,
INC.; KAISER PERMANENTE GROUP.;
TOM LONG, MARIO CASTENADA, and
Does 1 through 10, inclusive,
Defendants,

Case No. C05-1789 MHP

**JOINT STIPULATION AND
~~PROPOSED~~ ORDER TO CONTINUE
CASE MANAGEMENT CONFERENCE,
DEFENDANTS' MOTION TO DISMISS
AND PLAINTIFF'S MOTION FOR
SANCTIONS**

Plaintiff THOMAS C. KELLY ("Plaintiff") and Defendants KAISER FOUNDATION HOSPITALS, KAISER FOUNDATION HEALTH PLAN, INC., TOM LONG, and MARIO CASTENADA ("Defendants"), by and through their counsel of record, hereby agree and stipulate that the Case Management Conference on this matter, along with Defendants' Motion to Dismiss and Plaintiff's Motion for Sanctions, currently scheduled for November 9, 2005, be continued to November 28, 2005, or as soon thereafter as the matter may proceed before this Court.

The parties make this joint request for a continuance of the Case Management Conference and motion deadlines on the belief that good cause exists for doing so because Defendants' counsel of record is not available on November 9, 2005, to attend the hearings, due to previously scheduled commitments.

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1 For these reasons, the parties have stipulated to a continuance of the November 9, 2005,
 2 Case Management Conference, as well as continuance of Defendants' Motion to Dismiss and
 3 Plaintiff's Motion for Sanctions.

4 Accordingly, the parties respectfully request the Court set the Case Management
 5 Conference on this matter, along with Defendants' Motion to Dismiss and Plaintiff's Motion for
 6 Sanctions, currently scheduled for November 9, 2005, to be continued to ~~November 8~~ 2005, or
 7 as soon thereafter as the matter may proceed before this Court.

8 DATED: November 7, 2005

SEYFARTH SHAW LLP

By

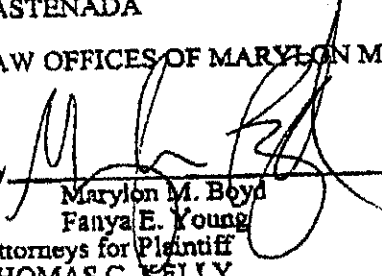

 Lisa Barnett Sween
 Cassandra H. Carroll
 Attorneys for Defendants

KAISER FOUNDATION HOSPITALS,
 KAISER FOUNDATION HEALTH
 PLAN, INC., TOM LONG AND MARIO
 CASTENADA

14 DATED: November 7, 2005

LAW OFFICES OF MARYLON M. BOYD

By


 Marylon M. Boyd
 Fanya E. Young
 Attorneys for Plaintiff
 THOMAS C. KELLY

ORDER

IT IS SO ORDERED.

Dated: 11/9/05


 JUDGE MARILYN HALL PATEL

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